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8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 BRANCH BANKING AND TRUST  
11 COMPANY,

12 Plaintiff,

13 v.

14 SAIID FOROUZAN RAD; and R. PHILLIP  
NOURAFCHAN,

15 Defendants.

16 CASE NO.: 2:14-cv-01947-APG-PAL

17 **STIPULATION AND ORDER TO  
CONTINUE HEARING DATE ON  
DEFENDANT'S MOTION TO DISMISS**

18 Defendants Saiid Forouzan Rad (“Rad”)<sup>1</sup> and Phillip Nourafchan (“Nourafchan”) (Rad  
19 and Nourafchan shall collectively be referred to as the “Defendants” hereafter) and Plaintiff  
Branch Banking and Trust Company (“Plaintiff”), by and through their undersigned counsel,  
hereby stipulate and agree as follows:

20 WHEREAS,

21 1. On November 21, 2014, Plaintiff commenced the above-captioned action against  
22 Defendants. *Docket No. 1.*

23 2. On February 2, 2015, Defendants filed a Motion to Dismiss (the “Motion to  
24 Dismiss”). *Docket No. 9.*

25  
26  
27 <sup>1</sup> The Estate of Saiid Forouzan and Akbar Rastgoor Damavandi, Special Administrator (the  
28 “Estate”) is proposed to be substituted in place of Defendant Saiid Forouzan Rad as set forth in  
the Motion to Substitute Party Pursuant to FRCP 25(a) filed on August 28, 2015 [Dkt. No. 29].

1       3.     On February 27, 2015, Plaintiff filed an Opposition to Defendants' Motion to  
2 Dismiss. *Docket No. 16.*

3       4.     On March 9, 2015, Defendants filed a Reply in Support of Defendants' Motion to  
4 Dismiss. *Docket No. 18.*

5       5.     As of the date of filing this Stipulation, other than the Motion to Substitute Party  
6 Pursuant to FRCP 25(a) [Dkt. No. 29], no other motions are currently pending.

7       6.     Oral Argument has been set on Defendant's Motion to Dismiss for September 17,  
8 2015 at 02:00 PM at the Thomas & Mack Moot Court Room at UNLV's Boyd School of Law  
9 before Judge Andrew P. Gordon.

10      7.     On September 17, 2015, Defendants' counsel Richard F. Holley, Esq. will be  
11 traveling en route to Wilmington, Delaware to appear in Bankruptcy Court in an unrelated  
12 matter; and Defendants' counsel Ogonna M. Brown, Esq. will appear at an unrelated bankruptcy  
13 hearing.

14      8.     The parties' discovery plan/scheduling order was entered on March 10, 2015.  
15 *Docket No. 20.*

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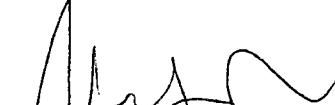
1 ACCORDINGLY, IT IS HEREBY STIPULATED AND AGREED THAT:

2 1. The Parties agree to continue the oral argument on the hearing for the Motion to  
3 Dismiss to September 23, 2015, or September 25, 2015, at 2:00 p.m., subject to the Court's  
4 availability.

5 2. The Parties respectfully request the Court's entry of order approving this  
6 stipulation.

7 Dated: 9/8/15

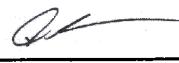
8 **HOLLAND & HART LLP**

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18 *Attorneys for Branch Banking and Trust  
Company*

19 **IT IS ORDERED:** The hearing regarding the Motion to Dismiss [9] set for Thursday, September 17, 2015 is  
20 VACATED and CONTINUED to Wednesday, September 23, 2015 at 2:00 p.m. in Courtroom 6C.

21 **IT IS SO ORDERED:**

22   
23 **UNITED STATES DISTRICT JUDGE**

24 DATED: September 8, 2015